

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PS – PR and RD Department - Allegations on irregularities in execution of work Accelerated Urban Water Supply Programme (AUWSP) to Bapulapadu in Krishna District – Disciplinary Proceedings under Rule 20 of APCS(CC&A) Rules, 1991 initiated against Sri U.Babu Rao, formerly Dy. Executive Engineer, RWS, Gannavaram - Charges are partly proved in the Regular Enquiry – Imposition of penalty of Stoppage of (2) Two Annual Grade Increments without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 370

Dated: 03-07-2020.

Read the following:

- 1.From GA(V&E) Department, Alert No.108(1016/V&E/E2/10) Dt.25.08.2011.
- 2.Govt. Memo No.21568/Vig.II/A2/2011-6, P.R. & R.D. (Vig.II) Deptt., Dated:-23.05.2012.
- 3.From Sri U.Babu Rao, DEE, Rural Water Supply & Sanitation, WSD, Dt.10.07.2012.
4. G.O.Rt.No.1085, PR&RD (Vig. I) Dept., Dt:30.11.2015.
5. G.O.Rt.No.54, PR&RD (Vig.VI) Department, Dt.29.01.2018. 6.From Sri P.K.Sarangi, IFS, COI, Member, GA (COI-PKS) Department, Dt.10.01.2019. 7.Govt.Memo.No.21568/Vig.VI/2011, PR&RD ((Vig.VI) Deptt., Dt.09.09.2019.
8. Sri U.Babu Rao, formerly DY. Executive Engineer, RWS, Gannavaram & now working as DEE, RWS&S, Eluru, Explanation, Dt.09.10.2019.

ORDER:-

In the reference 2nd read above, Govt. initiated disciplinary proceedings by framing the following article of charge against Sri U.Babu Rao, formerly DY. Executive Engineer, RWS, Gannavaram, for committing certain allegation of irregularities in execution of work Accelerated Urban Water Supply Programme (AUWSP) to Bapulapadu in Krishna District with a direction to the Charged Officer to submit his WSD.

Charge :

That Sri U.Babu Rao, formerly DY. Executive Engineer Rural Water Supply & Sanitation, Gannavaram and now working at Rural Water Supply & Sanitation, Mandapet of East Godavari dist., fails to conduct detailed soil investigation and field survey of the existing MI tank before proposing this tank as S.S tank in the work “execution of Accelerated Urban Water Supply Programme (AUWSP) to Bapulapadu in Krishna district and executed the work which resulted in the seepage of SS tank constructed causing wasteful expenditure to the Government Exchequer.

2. In the reference 3rd read above, the Charged Officer has submitted his written statement of defence.

3. Government have not satisfied with the Written Statement Defence submitted by Charged Officer and decided to conduct regular enquiry into the matter against the charged officer including against six (6) other co-charged officers involved in the case. Accordingly, in the reference 4th read above, appointed Dr.Prem Chand, I.A.S, Commissioner of Inquiries, General Administration Department as the Inquiring Authority to conduct enquiry into matter. Further, Govt appointed Sri P.K.Sarangi, IFS, COI, General Administration Department as Inquiring Authority, in place of Dr. Prem Chand, I.A.S, Commissioner of Inquiries, vide reference 5th read above.

4. In the reference 6th read above, the Inquiring Authority has submitted inquiry report dt:10.01.2019, wherein the Inquiry Officer has submitted the findings in respect of CO Sri U.Babu Rao, former DEE, as follows:-

ISSUE1:- Failure in conducting Soil Investigation and Field Survey of the existing MI tank for making as a Summer Storage Tank in accordance with the procedure;

Sri U.Babu Rao, was the Dy.E.E. in-charge of the construction of the SS tank. Further when the agreement was signed with the Contractor on dt.06-04-2006 and the pre-level measurements were taken on dt.08-06-2006, he was the Dy.E.E for the construction work. Similarly when the disturbed soil samples from the tank bed were sent to the Siddhartha Engineering College in his letter dt.17-06-2006 for finding out the water retention capacity of the soil and the suitability of the soil for construction of the Tank Bund and the report from the college was received on dt.20-06-2006, stating that the soil was suitable for water retention as well as for construction of tank bund, Sri U.Babu Rao was the Dy.E.E.in-charge of the work. The practice of soil testing by taking undisturbed soil samples from the SS tank were not analyzed in accordance with the procedure laid down in I:S 2132- 1972 for finding out the suitability and classification of soils. In- situ permeability test was not carried out inside the SS Tank in periodic intervals in accordance with the procedure prescribed in IS:5529 (Part 1&11)(i.e. Code of practice for in-situ permeability tests or by field permeability tests). Further, the swell factor of the soil was also not examined. It is clearly proved that the Sri U.Babu Rao failed to follow the prescribed procedure for testing the tank bed soil for checking its permeability and suitability for construction of SS tank. Had they followed the prescribed procedure of testing the soil, they could have found out the necessity of giving a blanket of Black Cotton Soil on the tank bed based on the results of the report and used the borrow pit soil for tank bund formation and estimate could have been prepared accordingly. Since in-situ test at periodic intervals were not conducted in the tank bed before starting the work, the need and necessity of providing Black Cotton Blanket could not be ascertained. Therefore CO.4 is responsible for violating the prescribed procedure of testing the existing soil of the tank bed before starting the excavation work. Hence the Charge related to above issue- 1 is Proved against CO.4.

ISSUE 3:- Disturbance to original in-situ bed of existing MI tank which was naturally consolidated in course to time for formation of bunds resulted in undermining and erosion of sub soil resulting in seepage and piping.

Regarding the excavation of the tank bed soil for construction of the Tank Bund, it is seen that Sri U.Babu Rao was also the Dy.E.E., while the Contractor excavated the tank bed soil and Sri U.Babu Rao never objected to the same. The Sri U.Babu Rao, in his letter dt.01-07-2006 had recommended payment of Rs.33 lakhs for part payment for the tank excavation work. A copy of the Minutes of the Meeting dt.22-08-2006 by the Superintending Engineer which showed that earthwork excavation work in SS tank had made progress. The Sri U.Babu Rao and CO.6 had measured the tank bed stripping work in the M.Book on dt.10-05-2007.Further he had neither pointed out the need for not removing the top soil from the existing MI tank bed nor provided the necessity of giving a cover of black cotton blanket in the working estimate that was approved by the Chief Engineer on dt.20-04-2007. However Sri U.Babu Rao furnished 4 documentary evidences i.e. Ex.D1, Ex.D2, Ex.D3 and Ex.D4 to prove that he had initiated action against the Contractor for defective construction work of the SS tank. It is seen that Ex.D1 is a letter written by CO.4 dt.17-06-2006 addressed to the Contractor to go for immediate Soil testing and other quality tests before going ahead with the excavation work, which has no relevance to the tank bed stripping work, as the Contractor had taken action to furnish the soil testing report from

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Sidhartha Engineering College on dt.20-06-2006 (though the soil testing was not done as per the procedure for which Sri U.Babu Rao had not given any objection letter to the Contractor). However, he had recommended in his letter dt.01-07-2006 for part payment for the work carried out by the Contractor. Similarly Ex.D2 is a letter dt.18-07-2007 written by the Contractor addressed to Sri U.Babu Rao stating that the Asst. Executive Engineer (Sri BVS Chalapathi Rao, AEE) is not attending to the supervision of the tank work that has no relevance to tank bed stripping. Again, Ex.D3 is a letter dt.06-10-07 addressed to the Superintending Engineer by the Asst. Executive Engineer stating that the progress of the work is slow by the Contractor that has no relevance to the tank bed stripping. Again Ex.D4 is a police complaint given by Sri U.Babu Rao on dt.16-06-06 stating that some persons misbehaved with him while he was travelling in a Bus which has also no relevance to tank bed stripping work. From the above assessment it is very clear that the tank bed stripping work was taken at least from dt.17-06-2006 (Ex.D1) onwards (when Sri U.Babu Rao asked the Contractor not to go ahead with the earthwork excavation before getting the soil testing results) to dt.10-05-2007 (Ex.D10) (When measurements were recorded in M.Book by Sri U.Babu Rao, DEE and Sri BVS Chalapathi Rao, AEE) almost for a period of one year. Therefore Sri U.Babu Rao is

responsible for stripping of the tank bed that resulted in removal of the upper layer soil of the tank bed that was naturally deposited and consolidated over a period of time. Hence the Charge related to the above Issue-3 is proved against Sri U.Babu Rao.

Finally, the Inquiry officer has submitted that charge is partly proved against the charged officer.

5. In the reference 7th read above, Government, among others, have communicated a copy of the inquiry report to the charged officer Sri U.Babu Rao, formerly DY. Executive Engineer, RWS, Gannavaram, for his representation on the findings of the Inquiry Officer.

6. In the reference 8th read above, Sri U.Babu Rao, formerly Dy. Executive Engineer, RWS, Gannavaram, has submitted representation stating that he has not checked or measured the work on SS tank because the work carried by the contractor against Agreement condition and departmental procedure. He was issued the notice for rectification but it was not rectified by the contractor in his incumbency. He has requested to consider his representation and to exonerate him from the charge.

7. Government have examined the matter and the findings of the inquiry officer as stated at para 4 above, observes that the charged officer has failed to follow the prescribed procedure for testing the tank bed soil for checking its permeability and suitability for construction of SS tank. While the Contractor excavated the tank bed soil, the CO Sri U.Babu Rao never objected to the same. The Sri U.Babu Rao, in his letter dt.01-07-2006 had recommended payment of Rs.33 lakhs for part payment for the tank excavation work. The Inquiry officer has also stated that charged officer has submitted (4) documents which has also no relevance to tank bed stripping work. Hence, his contention to exonerate him from the charge is devoid of merits.

8. Government after careful examination of the matter have decided and hereby order to impose the penalty of stoppage of (2) Two annual grade increments without cumulative effect against Sri U.Babu Rao, formerly DY. Executive Engineer, RWS, Gannavaram under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 in the matter.

9. The Engineer-in-Chief, RWS&S, A.P, Vijayawada shall take necessary action in the matter accordingly.

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10. A copy of this order is available on internet and can be accessed at www.ap.gov.in/goir.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Engineer in Chief, RWS&S, Andhra Pradesh, Vijayawada.

Sri U.Babu Rao, formerly DY. Executive Engineer, RWS, Gannavaram, **through** the Engineer-in-Chief, RWS&S, A.P, Vijayawada (with a request to serve the orders on the individual and furnish the served copy to Govt., for record)

Copy to:

The A.P. Vigilance Commission, Velagapudi.

SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER